

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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ARMENUI A. KARAPETIAN,

Case No. 2:19-CV-822 JCM (VCF)

**Plaintiff(s),**

## ORDER

v.

## FASTBUCKS OF LAS VEGAS II NEVADA.

Defendant(s).

Presently before the court is the matter of *Karapetian v. FastBucks of Las Vegas II Nevada LLC*, case number 2:19-cv-00822-JCM-VCE.

On October 28, 2019, plaintiff filed a motion for clerk's entry of default which was granted. (ECF Nos. 6, 7). Several months later, on March 12, 2020, this court ordered plaintiff to file a motion for default judgment or other appropriate motion. (ECF No. 8). Having failed to do so after a month, plaintiff was ordered to show cause as to why she failed to comply with the court's prior order. (ECF No. 9). This court made it abundantly clear that "[f]ailure to show cause may result in dismissal of this action." (*Id.*). The deadline has long passed for plaintiff to comply with this court's orders.

This court finds that dismissal of this action is appropriate. Before engaging in case-terminating sanctions, this court weighs “five factors in deciding whether to dismiss a case for failure to comply with a court order:”

(1) the public's interest in expeditious resolution of litigation; (2) the court's need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring disposition of cases on their merits; and (5) the availability of less drastic sanctions."

*In re Phenylpropanolamine (PPA) Prod. Liab. Litig.*, 460 F.3d 1217, 1226 (9th Cir. 2006).

The “public’s interest in expeditious resolution of litigation”, “the court’s need to manage its docket”, and “the risk of prejudice to the defendants” weigh overwhelmingly in favor of dismissal. *Id.* The parties have not acted in this matter for over a year, and dismissal will not harm defendants. Public policy favoring disposition on the merits is not a strong factor in this case either—plaintiff’s compliance with this court’s orders would lead to default judgment. (ECF Nos. 8, 9). Finally, although less drastic sanctions are imaginable, they are not appropriate here. Plaintiff has failed to pursue this case, or even comply with this court’s most basic orders, for well over a year. (*Id.*).

9 || Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that the matter of *Karapetian v. FastBucks of Las Vegas II Nevada LLC*, case number 2:19-cv-00822-JCM-VCF, be, and the same hereby is, DISMISSED for failure to comply with this court's orders.

13 The clerk shall close the case.

14 DATED January 25, 2021.

JAMES C. MEEHAN  
UNITED STATES DISTRICT JUDGE